

## REMARKS/ARGUMENTS

The rejections presented in the Office Action dated September 22, 2006 (hereinafter Office Action) have been considered. Claims 1-12 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

It is respectfully requested that the Examiner consider, initial, and provide a copy of the initialed Form 1449 that was submitted with the Information Disclosure Statement that was filed on February 24, 2004.

With respect to the §101 rejection of Claim 12 as allegedly being directed to non-statutory subject matter, Applicant respectfully traverses. However, in an effort to facilitate prosecution of the application and in a *bona fide* attempt to advance the application to allowance, Applicant has amended Claim 12 to read “A computer-readable medium, wherein the computer-readable medium comprises computer-executable instructions stored thereon. . .” Support for these changes may be found in the Specification, for example, at paragraph [0020], and these changes do not introduce new matter. As these changes are believed to overcome the rejection, Applicant accordingly requests that the rejection be withdrawn.

Applicant respectfully traverses the §102(e) rejection of each of the claims based on U.S. Publication No. 2003/0103484 by Oommen *et al.* (hereinafter “Oommen”) because the Examiner has not shown that the asserted reference corresponds to the claimed invention. For example, the cited paragraphs of Oommen do not teach determining in the management server at least one data element comprising the priority data of at least one sub object in relation to other sub objects, as claimed in independent Claims 1, 5, 8 and 12. Instead, paragraphs [0036]-[0038] of Oommen merely discuss basic properties for a management tree and the potential for configuring a management tree. The Examiner has not identified where any of the cited portions of Oommen teach determining priority data for sub objects, as claimed. Moreover, Oommen does not appear to teach the claimed limitations directed to priority data, such as, attaching a data element having priority data to a management tree, determining priority data of at least one sub object in relation to other sub objects, and

deassembling a document into management tree form so that priority data included in the document shows priority data of at least one sub object in relation to other sub objects. Without a presentation of correspondence to each of the claimed limitations, the §102(e) rejection is improper.

Applicant notes that to anticipate a claim, the asserted reference must teach every element of the claim. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the patent claim; *i.e.* every element of the claimed invention must be literally present, arranged as in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Therefore, all claim elements, and their limitations, must be found in the prior art reference to maintain the rejection based on 35 U.S.C. §102. Applicant respectfully submits that the Examiner has not shown that Oommen teaches every element of independent Claims 1, 5, 8, 10 and 12 in the requisite detail, and therefore Oommen does not anticipate Claims 1-12.

Further, dependent Claims 2-4, 6, 7, 9 and 11 depend from independent Claims 1, 5, 8 and 10, respectively and also stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Oommen. While Applicant does not acquiesce with the particular rejections to these dependent claims, these rejections are also improper for the reasons discussed above in connection with independent Claims 1, 5, 8, 10 and 12. These dependent claims include all of the limitations of their respective base claims and any intervening claims and recite additional features which further distinguish these claims from the cited reference. Therefore, the rejection of dependent Claims 2-4, 6, 7, 9 and 11 is improper.

Applicant has also amended the claims to replace the term “file definition” with the term “document” to enhance an understanding of these claims and not for any reasons necessitated by the prior art or record. Support for these changes may be found in the instant Specification, for example, at paragraphs [0029] and [0030] and in steps 408 -412 of Fig. 4; therefore, these changes do not introduce new matter.

Authorization is given to charge Deposit Account No. 50-3581 (KOLS.064PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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